

FILED

UNITED STATES COURT OF APPEALS
FOR THE NINTH CIRCUIT

JUL 14 2023

MOLLY C. DWYER, CLERK
U.S. COURT OF APPEALS

FEDERAL TRADE COMMISSION,
Plaintiff-Appellant,
v.
MICROSOFT CORPORATION;
ACTIVISION BLIZZARD, INC.,
Defendants-Appellees.

No. 23-15992

D.C. No. 3:23-cv-02880-JSC
Northern District of California,
San Francisco

ORDER

Before: RICHARD C. TALLMAN, SANDRA S. IKUTA, and DANIEL P. COLLINS, Circuit Judges.

The motion to file the district court's preliminary injunction opinion under seal (Docket Entry No. 20) is granted. *See* 9th Cir. R. 27-13. The Clerk will maintain it under seal.

The motion for injunctive relief (Docket Entry No. 21) is denied. *See Fed. Trade Comm'n v. Warner Commc'ns Inc.*, 742 F.2d 1156, 1159-60 (9th Cir. 1984) (defining standard by which the Federal Trade Commission may obtain a preliminary injunction); *see also Feldman v. Ariz. Sec'y of State*, 843 F.3d 366, 367 (9th Cir. 2016) (discussing standard for an injunction pending appeal).

The existing briefing schedule remains in effect.